

19.10.2023
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allowed

CRM(DB) No. 4109 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 293 of 2023 dated 04.04.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And
In Re : Abhijit Ghosh petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. Debabrata Chatterjee, learned APP
Mr. Santanu Chatterjee
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 198 days. It is also submitted investigation is complete and there is no chance of trial concluding in the near future. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Petitioner is the husband of the victim lady. Investigation is complete. There is no chance of his abscondence. Victim lady committed suicide. Petitioner has suffered incarceration for 198 days. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

4. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate,

Ranaghat, Nadia, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)